



BRIEFING: JULY 2011 EXECUTIVE/ADMINISTRATIVE COMMITTEE
AGENDA ITEM #4

TO: Chairman Umberg and Committee Members

FROM: Roelof van Ark, Chief Executive Officer

DATE: July 14, 2011

RE: Right of Way Services Consultants/Contractors Request for Proposal (RFP) and Conclusion of Contract(s)

Background

Construction of the Initial Construction Segment (ICS) of the California high-speed train project is scheduled to begin in the fall of 2012 and completed no later than September 2017. To achieve this goal the Authority must secure possession of required property rights in close coordination with the design-build contractor; while ensuring that impacted property owners and their tenants are treated equitably, fairly, and with the benefit of all laws, rules, regulations, and professional practices to which they are entitled.

The total estimated number of parcels from which property rights are required for construction of the ICS is approximately 1100. Securing these property rights will require a team of well-trained and experienced right of way professionals, with demonstrated success in delivering property rights for large scale, design-build, transportation projects.

The preliminary right of way activities have begun under the Regional Consultants' (RC) contracts, including surveys and appraisal data collection. After the Board designates the preferred alternative, the appraisal process will begin and the appraisals, as well as other related activities, will be completed under the Regional Consultants' existing contracts.

As of today, the goal of the Authority is to transition the right of way services from the responsibility of the Regional Consultants to the Authority's right of way contractor just prior to the approval of the ROD/NOD, or the start of the regular acquisition process. The attached preliminary draft Scope of Work for Right of Way Services (SOW) is written to accomplish this goal, including consideration of anticipated "carry-over" activities, e.g., appraisal revisions, etc.

Prior to issuing one or more RFP(s) for the services identified in the attached draft SOW, the Authority will meet all the requirements of Government Code 19130, which establishes standards for the use of personal services contracts. As of today, the Authority has complied with GC 19130(b)(3) by confirming with the appropriate State departments that the services are not available within civil service. The confirming documentation includes the attached, "Joint Staffing Report," dated April 29, 2011, prepared by the Authority, Department of Finance and Caltrans in response to the provision in Assembly Bill 92 and Senate Bill 68, Item 2665-004-6043.

The Authority is aware of the recent Senate Transportation Committee's amendment to Assembly Bill 615 (Lowenthal) that requires the Authority to enter into an agreement with Caltrans for the day-to-day management of the implementation of all aspects the authorization may grant to the Authority by this legislation. However, final resolution of this legislation is still pending and the Authority must ensure all appropriate mechanisms are in place for the delivery of the required right of way to meet the project schedule. Therefore, it is imperative the RFP process proceed as we await the outcome of the pending legislation.

Recommendation

Resolved: That the Board authorizes the Chief Executive Officer to undertake all that is necessary to issue and execute one or more Request(s) for Proposal for Right of Way Services in the amount not to exceed \$40 million.

Attachments:

- ✓ Draft Scope of Work for Right of Way Services
- ✓ Joint Staffing Report
- ✓ Senate Transportation Committee July 5, 2011 Amendment to AB615 (copy pending)
- ✓ Resolution HSR11-__